

Amendment No. 1 to SB2588

Bell
Signature of Sponsor

AMEND Senate Bill No. 2588

House Bill No. 1936*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 6, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) By January 1, 2017, the district attorney general of each judicial district shall establish, or cause to be established, a vulnerable adult protective investigative team (VAPIT) for the purpose of:

(1) Coordinating the investigation of suspected instances of abuse, neglect, or exploitation of an adult; and

(2) Receiving and reviewing information generated by the multi-disciplinary adult protective services evaluation teams as established in § 71-1-110.

(b) As determined by the district attorney general, or the district attorney's designee, the VAPIT shall consist of representatives from within the judicial district, wherever appropriate, of:

(1) The district attorney general, or the district attorney's designee;

(2) Local law enforcement agencies;

(3) The department's adult protective services section; and

(4) Any other entity that the district attorney general, or the district attorney's designee, determines is necessary for the successful operation of the VAPIT.

(c) Each VAPIT shall:

Senate Government Operations Committee 1

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(1) Meet regularly, as determined by the district attorney general, or the district attorney's designee; provided, that meetings shall be held at least quarterly; and

(2) Conduct coordinated responses and investigations of instances of suspected abuse, neglect, or exploitation of adults.

(d) By December 1 of each year, each district attorney general shall cause to be filed an annual report that summarizes the work of the VAPIT for the previous calendar year with the chairs of the judiciary committee of the senate and the criminal justice committee of the house of representatives.

(e)

(1) Except as otherwise permitted by law, records, reports, and information concerning reports of abuse, neglect, or exploitation of an adult shall be kept confidential among the VAPIT's members.

(2) Disclosure of the items in subdivision (e)(1) may be made to persons and entities directly involved in the administration of this section, including:

(A) Attorneys, next friends, or other representatives of the adult client who are legally authorized to act in the adult client's interest;

(B) Representatives of law enforcement;

(C) Grand juries or courts in the exercise of official business;

(D) Members of the VAPIT; and

(E) Persons engaged in bona fide research or audit purposes; provided, that only information in the aggregate without identifying information may be provided for research or audit purposes and confidentiality of the data is maintained.

(3) Unless necessary for the provision of medical, legal, housing, social welfare, or other services, the name of the potential or actual victim or client may only be shared outside of the VAPIT with representatives of law enforcement and organizations devoted to victims' services or advocacy.

(4) If adequate resources are available, the VAPIT may maintain a database of information about past and ongoing cases; provided, that identifying information about individual victims and clients shall not be accessed by any person outside of the VAPIT.

(5) Identifying information for the person who reports a case of suspected abuse, neglect, or exploitation of an adult shall be kept strictly confidential. The identifying information shall not be disclosed to any person or organization within or without the VAPIT, unless the reporting person expressly consents to disclosure.

(f) Any person participating in good faith in any action or omission authorized or required under this section shall be immune from civil or criminal liability that may result by reason of such action or omission.

(g) Any obligation or duty imposed upon a district attorney general by this section shall be contingent upon the availability of adequate resources.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.